IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 17494 of 2007(G)

PETITIONER:

PROF. M.MUHAMMED, AGED 62 YEARS,
S/O. KUNHAMMEDKUTTY HAJI, MANAGER,
M.K.K.H.M.A. U.P.SCHOOL, PATHANAPURAM,
P.O.KEEZHUPARAMBU, MALAPPURAM-673 639,
RESIDING AT MANGATA PARAMBIL HOUSE, P.O.OMANUR,
VIA KONDOTTY, MALAPPURAM DIST-673 645.

BY ADV. SMT.LATHA PRABHAKARAN
SRI.K.M.JAMALUDHEEN

RESPONDENTS:
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1. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.

2. THE DISTRICT EDUCATIONAL OFFICER,
WANDOOR.

3. THE ASSISTANT EDUCATIONAL OFFICER,
AREACODE.

BY GOVT.PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No.17494 of 2007

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Dated this the 7th day of June, 2007.

J U D G M E N T

Petitioner who is stated to be the Manager of an aided U.P. school had appointed Smt.K.K.Rajeena in a retirement vacancy. However approval for the above appointment was declined by the Controlling Officer. Though the said order was challenged by the petitioner before respondent No.2, it was confirmed. Against the said decision, petitioner has preferred Ext.P3 appeal before respondent No.1. The limited prayer is for a direction to respondent No.1 to take a decision on the appeal expeditiously.

2. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P3 strictly on its merit and accordance with law, as expeditiously as possible, at any rate within 3 months from the date of receipt of a copy of this judgment. Needless to mention that the petitioner and the teacher concerned shall be afforded sufficient opportunity to be heard before any orders are passed.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. Basheer
Judge.

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